

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.C.
Mtg. Date September 15, 2015
Dept. Development Services

Item Title: **Approval of Golden Row Townhomes Final Map for Tentative Map TM0055 located at 8150 Golden Avenue**

Staff Contact: Carol Dick, Development Services Director

Recommendation:

Adopt a resolution (**Attachment A**) to approve the Final Map for Tentative Map TM0055, and authorize the City Clerk to accept the Offers of Dedication identified on the Final Map. |

Item Summary:

On September 16, 2014, the Lemon Grove City Council adopted Resolution No. 2014-3282 (**Attachment B**) approving Tentative Map TM0055 for the 0.80 acre parcel located at 8150 Golden Avenue in Lemon Grove.

Golden Doors Development, the owner of said parcel, has satisfied the conditions of approval for the proposed subdivision and requests approval of the Final Map for TM0055. The development is currently under construction. Performance bonds and subdivision agreements, including all environmental monitoring requirements, are in place to ensure that conditions of approval are met and the project is completed in the manner approved by City Council.

If adopted, the Resolution (**Attachment A**) will authorize the City Clerk to execute the Final Map and accept the Offers of Dedication.

Fiscal Impact:

The City will receive \$2,310 for each new residential unit constructed in accordance with the Regional Transportation Congestion Improvement Program (RTCIP). The City is accepting on behalf of the public, additional street lights, sewer, storm drain, and roadway infrastructure that will require the expenditure of funds for routine maintenance and repair. All engineering fees have been paid.

Environmental Review:

- | | |
|---|--|
| <input type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input checked="" type="checkbox"/> Adopted ND ND07-06 |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

- A. Resolution
- B. City Council Resolution No. 2014-3282

Attachment A

RESOLUTION NO. 2015 -

RESOLUTION OF THE CITY COUNCIL OF LEMON GROVE, CALIFORNIA APPROVING A FINAL MAP FOR TENTATIVE MAP TM0055

WHEREAS, on September 16, 2014, the Lemon Grove City Council adopted Resolution No. 2014-3282 approving Tentative Subdivision Map TM0055, as meeting the requirements of the City's Subdivision Ordinance and the California Subdivision Map Act; and

WHEREAS, the Final Map for Tentative Map TM0055 attached hereto as Exhibit 'A' has been submitted and meets the requirements as set forth in the California Government Code section 66433, et. Seq. and is now ready for approval by the City Council; and

WHEREAS, Golden Doors Development, as the Developer of the project has paid all fees required by the conditions for processing of the Final Map; and

WHEREAS, the Director of Development Services and the City Engineer have found said Final Map of Tract No. 0055 substantially conforms to the conditionally approved Tentative Map, as required by the California Subdivision Map Act.

WHEREAS, the Mitigated Negative Declaration (ND07-06) was certified by City Council for Tentative Map No. 0055 on September 16, 2014; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby finds:

1. The Final Map is consistent with the General Plan, the California Subdivision Map Act, and is in substantial conformance with the previously approved Tentative Map (TM0055); and
2. The Final Map for Tentative Map No. 0055 is hereby approved, and the City Clerk is authorized and directed to certify this fact on the face of the Final Map; and
3. All offers the dedication of real property to the City identified on the Final Map are accepted by the City of Lemon Grove; and
4. Authorizes the City Clerk to record a certified copy of this resolution.

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MAP NO.

SHEET 1 OF 4 SHEETS

CITY OF LEMON GROVE TRACT NO. 0055

LEGAL DESCRIPTION

BEING A SUBDIVISION OF PARCEL 4, IN THE CITY OF LEMON GROVE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN AS PAGE 8958 OF PARCEL MAPS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 26, 1979.

SUBDIVISION GUARANTEE FOR THIS SUBDIVISION FURNISHED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. MHSC-4230070, DATED _____.

SIGNATURE OMISSIONS

THE SIGNATURES OF THE PARTIES LISTED BELOW, OWNERS OF THE UNDIVIDED INTERESTS, HAVE BEEN OMISSIONED FROM THE PROVISIONS OF SECTION 86434, SUBSECTION (6)(3)(A) OF THE EASEMENT ACT, BECAUSE THE SIGNATURES OF THE PARTIES CANNOT BE OPENED INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

- 1) SAN DIEGO GAS AND ELECTRIC COMPANY, HOLDER OF AN EASEMENT PER DOCUMENT RECORDED JUNE 6, 1978 AS FILE NO. 79-22848 AND RECORD NO. 79-22848. EASEMENT CAN NOT BE PLOTTED PER PUBLIC RECORD.
- 2) SAN DIEGO GAS AND ELECTRIC COMPANY, HOLDER OF AN EASEMENT PER DOCUMENT RECORDED AUGUST 7, 1979 AS FILE NO. 79-329614 AND RECORD NO. 79-329614. EASEMENT CAN NOT BE PLOTTED PER PUBLIC RECORD.
- 3) SAN DIEGO GAS AND ELECTRIC COMPANY, HOLDER OF AN EASEMENT PER DOCUMENT RECORDED AUGUST 7, 1979 AS FILE NO. 79-329614 AND RECORD NO. 79-329614. EASEMENT CAN NOT BE PLOTTED PER PUBLIC RECORD.

OWNER'S STATEMENT

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE PROPERTY DESCRIBED HEREIN AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP.

THIS MAP IS A CONDOMINIUM PROJECT AS DEFINED BY SECTION 4125, E.T. SEC. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT, THE T.A. 00055 AND T.A. 00056, AS AMENDED, AND THE SUBDIVISION MAP ACT, AS AMENDED, SEPTEMBER 16, 2014, APPROVES TWENTY-TWO (22) RESIDENTIAL CONDOMINIUM UNITS.

WE HEREBY DEDICATE TO THE PUBLIC THOSE PORTIONS OF WASHINGTON STREET AND GOLDEN AVENUE FOR ROADWAY AND UTILITY PURPOSES ALL AS SHOWN ON SAID MAP.

WE HEREBY DEDICATE TO THE CITY OF LEMON GROVE, THE GENERAL UTILITY EASEMENT, ALL AS SHOWN ON SAID MAP.

GOLDEN DOORS DEVELOPMENT, A CALIFORNIA GENERAL PARTNERSHIP, AS OWNER.

BY: ADAMS-GARRIBAS DEVELOPERS, LLC, AS PARTNER.

Norm: SANDRA M. ADAMS
Title: MANAGER

NOTARY ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE INSTRUMENT AND DOES NOT GUARANTEE THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA) SS
COUNTY OF SAN DIEGO) 20, BEFORE ME

A NOTARY PUBLIC, PERSONALLY APPEARED
TO ME, _____, KNOWN TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S)
IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED
THE INSTRUMENT TO BE THEIR ACT AND DEED, AND THAT THE PERSON(S)
AUTHORIZED CAPACITIES AND THAT BY INSURE(T)MENT(S) SIGNATURE(S)
ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY (UPON BEHALF
OF WHICH THE PERSON(S) ACTED), EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE
OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE _____ PRINT NAME _____
A NOTARY PUBLIC IN AND FOR THE STATE OF
PRINCIPAL PLACE OF BUSINESS IS COUNTY OF _____
MY COMMISSION EXPIRES: _____ COMMISSION # _____



SURVEYOR'S STATEMENT

I, _____, SURVEYOR, HAVE EXAMINED MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SANDRA M. ADAMS-GARRIBAS DEVELOPERS, LLC, AS PARTNER.

I HEREBY STATE ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN SUCH POSITIONS AS TO BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRAILED (SEE LEGEND ON SHEET 3). HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



MARK A. BRENOCK, LS 7228
DATE: _____

CITY ENGINEER'S STATEMENT

I, TIMOTHY GABRIELSON, INTERIM CITY ENGINEER OF THE CITY OF LEMON GROVE, STATE THAT I HAVE EXAMINED THIS MAP THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SANDRA M. ADAMS-GARRIBAS DEVELOPERS, LLC, AS PARTNER.

TIMOTHY GABRIELSON, INTERIM CITY ENGINEER,
RCE 5150L
DATE: _____

CITY SURVEYOR'S STATEMENT

I, MICHAEL A. HANEMER, SURVEY CONSULTANT TO THE CITY OF LEMON GROVE, HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION MAP AND THAT I AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

MICHAEL A. HANEMER, LS 7354
DATE: _____

CLERK OF THE BOARD OF SUPERVISORS CERTIFICATE

I, DAVID HALL, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) HAVE BEEN COMPLIED WITH AND THAT THE CERTIFICATION OF LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

BY: _____ DATE: _____

DAVID HALL,
CLERK OF THE BOARD OF SUPERVISORS

COUNTY RECORDER'S CERTIFICATE

FILE NO. _____
I, ERNEST J. DORNENBURG, JR., RECORDER OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF MARK A. BRENOCK THIS
DATE OF _____, AT _____ O'CLOCK _____ A.M.

ERNEST J. DORNENBURG, JR. BY: DEPUTY
COUNTY RECORDER

FEEL: \$16.00
M 182-1(4-15)(A-P)
LEMON GROVE TRACT NO. 0055
CALIF. COORD. INDEX: 210-1761(X)(CS37)

MAP NO.

CITY OF LEMON GROVE TRACT NO. 0055

SHEET 3 OF 4 SHEETS

LEGEND

- | | |
|-----|--|
| ▲ | INDICATES FOUND 3/4" L.P. WITH DISC MARKED "LS 4927" PER PANEL MAP NO. 1297R, UNLESS OTHERWISE NOTED. |
| ▲ | INDICATES FOUND STANDARD STREET MONUMENT STAMPED COUNTY SURVEYOR, PER PANEL MAP NO. 1297R, UNLESS OTHERWISE NOTED. |
| ▲ | INDICATES FOUND STANDARD PANEL MAP NO. 1297R AND CONVEY RECORD NO. 5102, UNLESS OTHERWISE NOTED. |
| ○ | INDICATES FOUND LEAD TO DISC MARKED "LS 4512" IN TOP OF WALL, IN LEU OF 3/4" L.P. PER PANEL MAP NO. 1297R, UNLESS OTHERWISE NOTED. |
| ○ | INDICATES SET 2" X 24" L.P. WITH DISC MARKED "LS 7239", UNLESS OTHERWISE NOTED. |
| □ | INDICATES SET LEAD TO DISC MARKED "LS 7239" IN CONCRETE, PER SURVEY NOTE NO. 1, UNLESS OTHERWISE NOTED. |
|] | INDICATES DATA PER PANEL MAP NO. 8958. |
|] | INDICATES DATA PER PANEL MAP NO. 2792. |
| > | INDICATES DATA PER CONVEY RECORD NO. 1031I. |
| > | INDICATES DATA PER CONVEY RECORD NO. 5102. |
|)] | INDICATES DATA PER MAP NO. 11987. |
| <X> | INDICATES DATA PER PANEL MAP NO. 1297R. |
|)] | INDICATES SUBBORROW BOUNDARY. |
|)] | INDICATES RADIAL BEARING. |
|)] | INDICATES MONUMENT NOTE. |

SURVEY NOTES

1. THE FRONT CORNER AND POINTS OF CURVE ALONG GOLDEN AVENUE WILL BE MONUMENTED WITH A LEAD AND DISC MARKED "L.S. 7226" IN THE TOP OF CURB SET MONUMENTED WITH A LEAF MEASURED RADIAL OR AT RIGHT ANGLES ALONG AN EXTENSION AT AN OFFSET OF 9.75' MEASURED RADIAL OR AT RIGHT ANGLES ALONG AN EXTENSION TO THE SIDE LOT LINE PRODUCED UNLESS OTHERWISE SHOWN ON THIS MAP. ALL OTHER LOT CORNERS WILL BE MONUMENTED BY A 2" X 28" IRON PIPE WITH DISC MARKED "L.S. 7226".
2. THE TOTAL GROSS AREA IS 0.795 ACRES.
3. FOR CDS AS FILED, SEE SHEET 4.

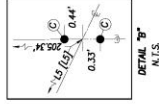
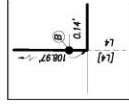
EASEMENT NOTES

THE SODAQ EASEMENTS RECORDED JUNE 6, 1979, AUGUST 7, 1979 AND AUGUST 7, 1980 AS FILE NOS. 75-222848, 79-32834, AND 80-250849, RESPECTIVELY, ALL OF OFFICIAL RECORDS, CANNOT BE PLOTTED PER PUBLIC RECORD.

THE CITY OF LEMON GROVE EASEMENT RECORDED MAY 11, 1956 IN BOOK 6096, PAGE 192 AND, OF OFFICIAL RECORDS, FALLS ENTIRELY WITHIN EXISTING PUBLIC RIGHT-OF-WAY.

MONUMENT NOTES

- [illegible]



$M = 182 - (141 - 10) / (N - 0.3)$

RESOLUTION NO. 2014-3282

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING TENTATIVE (CONDOMINIUM) MAP REVISION TM0055 AUTHORIZING THE SUBDIVISION OF A 0.80 ACRE PARCEL INTO TWENTY-TWO CONDOMINIUM LOTS AND ONE COMMON LOT ON AN UNDEVELOPED SITE AT THE NORTHWEST CORNER OF GOLDEN AVENUE AND WASHINGTON STREET, LEMON GROVE, CALIFORNIA

WHEREAS, the applicant, Carlos Garbiras of Golden Doors Development, filed a complete application for a Planned Development Permit Modification PDP06-013M and a Tentative Map Revision TM0055 on August 11, 2014 to authorize a modification to conditions of project approval regarding affordability restrictions, to redesign the site to accommodate recent water quality requirements, and to reconfigure Washington Street improvements on an undeveloped site located at the northwest corner of Golden Avenue and Washington Street; and

WHEREAS, Mitigated Negative Declaration ND07-06 was certified by the City Council on December 4, 2007 and found that the project would have no significant effect on the environment; and

WHEREAS, on December 4, 2007, the City Council approved Resolution Nos. 2755 and 2756 approving Tentative Map TM0055 and Planned Development Permit PDP06-013, authorizing 22 condominium units and the approval expires on December 4, 2016; and

WHEREAS, on August 25, 2014, a public hearing was duly noticed and held by the Planning Commission and the Planning Commission recommended that the City Council approve Planned Development Permit Modification PDP06-013M and Tentative Map Revision TM0055 with conditions of approval recommended by staff; and

WHEREAS, a public hearing was duly noticed and held by the City Council on September 16, 2014; and

WHEREAS, the City Council finds that the tentative map is consistent with the Lemon Grove General Plan because it proposes 22 condominium units at a density of 29 dwelling units per acre on a 0.76 acre parcel of land in the Medium/High Density Residential land use designation of the Lemon Grove General Plan which allows a maximum of 29 dwelling units per net acre; and

WHEREAS, the City Council finds that the tentative map complies with the findings of fact required to approve this project pursuant to Municipal Code Section 16.16.400 because the project complies with the time limitations of the State Subdivision Map Act; the existing lot is a legal lot; the proposed subdivision creates more than 5 lots; the proposed subdivision complies with the requirements of the Subdivision Ordinance; the map and design or improvements are consistent with applicable general and specific plans; the site is physically suitable for the type of development; and the site is physically suitable for the proposed density of development; and

WHEREAS, the City Council has considered said Tentative Map and recommendations of the Planning Department, City Engineer, and the Lemon Grove Fire Department with respect thereto and has determined that the conditions hereinafter enumerated are necessary to insure that the subdivision and the improvements thereof will conform to all ordinances, plans, rules, and improvement and design standards of the City of Lemon Grove; and

WHEREAS, the City Council has considered Planned Development Permit Modification PDP06-013M including site, architectural, and landscape plans dated received August 11, 2014 associated with Tentative (condominium) Map Revision TM0055; and

WHEREAS, in accordance with Section 16.12.280, the City Council finds that it is impractical in this particular case for this subdivision to conform fully to the Design Standards of the Subdivision Ordinance because the Subdivision Ordinance does not account for condominium sized lots and waivers granted as part of the approval of this project are found to conform to the spirit and purpose of the Subdivision Map Act and of the Subdivision Ordinance of the Lemon Grove Municipal Code; and

WHEREAS, the City Council hereby makes the following findings:

1. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the property has no environmentally protected resources as discussed in the Mitigated Negative Declaration; and
2. The proposed Tentative Subdivision Map Revision (TM0055) is consistent with the Residential Medium/High density (up to 29-dwelling units per net acre) land use designation of the Lemon Grove General Plan; and
3. The site is physically suitable for the proposed density of development because public utilities will be available to serve the proposed density; and
4. The design of the subdivision or the type of improvements will not cause serious public health problems because public services (e.g., sewer, water, gas, and electricity) will be provided to the subdivision; and
5. The design of the subdivision or type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision as defined under Section 66474 of the Government Code, State of California; and
6. The design and improvements of the proposed subdivision map complies with the requirements of the State Subdivision Map Act and the City of Lemon Grove Subdivision Ordinance except as specifically waived for the purpose of creating condominiums; and
7. The redesign of the project is consistent with the previous approved design and will not create an impact on the environment and therefore an update to Mitigated Negative Declaration ND07-06 will not be necessary; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby:

SECTION 1. Waives or modifies the following Design Standards in accordance with Section 16.12.280:

1. Section 16.12.220B (Minimum Lot Area of 6,000 sq. ft.) to allow 22 condominium lots with areas ranging from 896 sq. ft. to 1,124 sq. ft. and one common open space lot with an area of 10,872 sq. ft.
2. Section 16.12.220C (lots shall front on dedicated street) to allow 12 condominium lots to not front on a dedicated street.
3. Section 16.12.220D (Minimum Lot Width and Depth of 60 feet by 90 feet) to allow 22 condominium lots with minimum dimensions of less than 60 feet by 90 feet.

SECTION 2. Approves Tentative Map Revision TM0055 in association with Planned

Development Permit Modification PDP06-013M and the grading, site, landscape, and architectural plans dated received August 11, 2014 (incorporated herein by reference as Exhibit A), except as noted herein. This approval authorizes the subdivision of a 0.80 acre parcel into 22 condominium lots and one common lot on an undeveloped site at the northwest corner of Golden Avenue and Washington Street, Lemon Grove, California. Except as amended, the approval of this project shall be subject to the following conditions:

A. PRIOR TO RECORDATION OF A FINAL MAP:

1. The subdivider shall execute a Subdivision Improvement Agreement and a Subdivision Improvement Security in accordance with Section 16.12.200. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping, and retaining wall work proposed within the private property shall be submitted with the grading and improvement plans. A separate cost estimate shall be submitted for work proposed within the public right-of-way. Performance agreements and security equal to the approved cost estimates shall be posted for all the private and public improvements. Templates for these agreements are available from the City.
2. The subdivider shall provide easements for all proposed sewer facilities as required by the Lemon Grove Sanitation District. The location of the proposed sewer facilities shall be as required by the Lemon Grove Sanitation District.
3. A maintenance agreement for the private sewer shall be executed to the satisfaction of the City Engineer.
4. All grading permit fees and deposits shall be paid and all actions necessary preceding the issuance of the grading permit shall be completed.
5. The subdivider shall grant to the appropriate agency by recorded documents all required easements, specifically all on-site water main easements that serve fire hydrants, or furnish a letter from said agency that none are required.
6. The design and area of all lots and the design of the final map shall be in substantial conformance to that shown on the approved tentative map to the satisfaction of the Development Services Director.
7. The final map shall include the entire area shown on the tentative map and shall not be filed as units. Lot numbering and design on the final map shall be in substantial conformance to that shown on the approved tentative map.
8. The final map shall indicate that this project is a condominium development for twenty-two (22) dwelling units.
9. The final map shall cause the existing 15 foot road easement along the Washington Street frontage to be vacated and shall include a 12 foot dedication of right-of-way along the same frontage, as shown on the Tentative Map.
10. The subdivider shall comply with section 66436 of the Government Code by furnishing to the City Engineer a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: a) they have received from the developer a copy of the proposed final map; b) they object to/do not object to the filing of the map without their signature; c) in the case of a street dedication affected by their existing easement, they will sign a "subordination certification" or "joint-use certificate" on the map when required by the governing body. In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the tentative map.

11. The subdivider shall submit a title report for the property no more than 60 days in advance of the recordation of the Final Condominium Map to the City Engineer for review. The final map shall identify any easements indicated within the Title Report.
12. All plans and technical studies required to be submitted to Engineering Department for review and approval shall be prepared by a California Registered Professional Engineer or applicable utility provider.
13. For any work within the public right-of-way, the subdivider shall secure an encroachment permit to work within the City right-of-way and place a special deposit with the City to ensure that any damage to the existing roadway or other public improvements is repaired in a timely manner.
14. The subdivider shall provide easements for all proposed pedestrian access ways on-site not within the proposed common areas as required by the City Engineer.
15. The subdivider shall provide easements for the maintenance of all proposed landscaped areas on-site as required by the City Engineer.
16. Safety fencing shall be required at the top of the keystone retaining wall and westerly masonry retaining wall. Safety fencing shall be shown on all Grading Plans.
17. Execute a maintenance agreement for the on-going maintenance of access and landscape easements and off-street parking spaces.
18. All domestic water supplied for this subdivision shall come from the Helix Water District.
19. All buildings constructed in this subdivision shall be connected to the public sewer system of the Lemon Grove Sanitation District.
20. The subdivider shall provide the City Engineer with two reproducible Mylar copies of the final map for recordation.
21. Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City for review and shall be written to the satisfaction of the Development Services Director and the City Engineer. The CC&Rs shall include the requirements of the SUSMP approved for this project to the satisfaction of the Water Quality Program Coordinator, City Engineer, and Development Services Director and shall be recorded concurrent with the final map and shall include but not limited to the following:
 - a. Best Management Practices (BMP's) and a Private Driveway and Drainage Maintenance Agreement. The maintenance and the preservation of the natural drainage facilities shall be included in the CC&Rs. The Developer and Current and Future Property Owners shall adhere to the recommendations of the SUSMP and CC&Rs approved for this project.
 - b. HOA on-going maintenance of landscaping and irrigation (private and within public right-of-way) of slopes, parkways, open space and park areas as illustrated on an Exhibit A. This Exhibit A shall be included in the CC&Rs.
 - c. Immediate removal of graffiti and any other type of offensive debris is required.
 - d. All garage doors shall be automatic roll-up type doors and equipped with remote control devices.
 - e. All landscaping shall be well maintained in a healthy growing condition at all times in substantially the same condition as approved in accordance with the approved site and landscape plans (private and within public right-of-way as shown on Exhibit A).

- f. The bioretention areas, underground storage pipes, and outlet structures identified in the Storm Water Management Plan (SWMP) and Hydro Modification Plan (HMP) shall be well maintained at all times. Any modifications to the bioretention areas shall require modifications to the SWMP and HMP and a review and approval by the City Engineer.
- g. Requirements to maintain the drainage facilities and any access easements (where they occur) on the property.
- h. All light fixtures shall be designed, shielded, and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises.
- i. The property shall comply with all performance standards relating to the generation of noise, glare, dust, and odor.
- j. Identify and implement the BMP's identified in the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared for this project and state that the Developer and Current and Future Property Owners shall comply with the recommendations of the SUSMP prepared for this project to the satisfaction of the Water Quality Program Coordinator and the City Engineer.
- k. Funding of the long term maintenance of all facilities required by the SUSMP shall be included in the annual HOA budget.
- l. A long-term operation and maintenance program (OMP) shall be a requirement and the responsibility of the Homeowners' Association (HOA) to maintain. Funding for the program is required to be accounted for in the annual budget of the HOA.
- m. All garages shall be available for required off-street parking (18 foot wide by 19 foot deep interior clear space) at all times.
- n. No parking is permitted within the private drive aisle (driveway) or designated fire lane area at any time. Six designated unenclosed off-street parking spaces are provided on-site and parking on-site is only permitted within these six spaces and within the dwelling units' garages.
- o. All trash and recycling receptacles are required to be within the individual residences of the proposed condominium development at all times, except that one recycling container and one refuse container per dwelling unit is permitted directly outside of the individual dwelling unit's garage within eight hours of the trash pick-up times specified by EDCO waste and recycling company.
- p. Rooftop mechanical equipment, including but not limited to heating, air conditioning and ventilating equipment, shall be screened so that it may not be seen from the level of adjacent streets and sidewalks.
- q. The use of barbed wire or razor ribbon on any fences, gates, or walls is prohibited.
- r. Ongoing maintenance of the onsite private sewer is required.
- s. The CC&Rs shall clearly establish the responsibilities of the individual home owners and the HOA with regard to the continuing maintenance and preservation of the project.
- t. The CC&Rs shall specifically limit the number of dwelling units to twenty-two (22) on the site.
- u. The CC&Rs shall give the City the right but not the duty to enter the premises to do maintenance and levy assessments if the home owners fail or refuse to maintain said

facilities, and shall forbid amendments to the CC&Rs without express written consent of the City.

- v. Common usable open space areas shall be well maintained at all times (e.g., bike racks, barbeques, tables, and landscape).

- 22. Each condominium shall be subject to inclusion into the Lemon Grove Roadway Lighting District which includes an annual assessment.

B. PRIOR TO ISSUANCE OF ANY GRADING AND IMPROVEMENT PERMIT:

- 1. All physical elements of the proposed project shown on the approved plans dated August 11, 2014 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes.
- 2. Execute a performance bond for all grading activities to the satisfaction of the City Engineer.
- 3. Execute a performance bond for all public improvements to the satisfaction of the City Engineer. If the improvement plans show a need to excavate in any public road right-of-way, the developer shall place a cash deposit with the City Engineer to insure any damage to the existing roadway or other public improvements are repaired in a timely manner.
- 4. Submit and obtain approval of a Standard Urban Stormwater Mitigation Plan (SUSMP) and the Hydro Modification Plan (HMP) for the proposed project to the satisfaction of the Water Quality Program Coordinator and the City Engineer. The SUSMP and HMP shall be completed and approved prior to the issuance of any other permits.
- 5. The subdivider shall submit grading plans and a grading permit application to the City Engineer. Grading plans shall be prepared by a registered civil engineer and approved before or concurrently with the approval of the improvement plans. The developer shall submit an erosion and sediment control plan with Construction Best Management Practices (BMPs).
- 6. Obtain a grading permit from the City prior to any grading activities.
- 7. Obtain an encroachment permit for the installation of private facilities and/or for grading work in/or adjacent to the public right-of-way.
- 8. Submit and record an Encroachment Removal and Maintenance Agreement to be reviewed and approved by the City Engineer for the work along Washington Street and Golden Avenue within the City right-of-way or roadway easements, to include, but not be limited to: planters, landscaping and irrigation, sidewalks and driveway approaches. The use of non-standard improvements (stamped and stained concrete walkways) within the City right-of-way along Golden Avenue will be required to be reviewed and approved by the City Engineer as part of the Encroachment Maintenance and Removal Agreement.
- 9. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed development shall be implemented with the design of the grading. A private storm water treatment maintenance agreement shall be executed.
- 10. A public improvement plan shall be submitted (improvement plan check) showing all of the proposed and existing improvements within the public right-of-way. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. The subdivider shall submit record drawings (as-builts) and engineering

documentation for all public improvements to the City to the satisfaction of the City Engineer (e.g., all streets, access and drainage easements, culverts, drainage structures and drainage channels). The Improvement Plan shall include the full width replacement of the pavement section on the Washington Street frontage, public improvements shown on the Grading Plan from the property to 110 feet north of the property along Washington Street, improvements shown on the Grading Plan along Golden Avenue within the City right-of-way and roadway easements, and other improvements incidental to the proposed street improvements as required by the City Engineer. Street alignments and grades, including the change of any existing or proposed street alignment and grade, shall be as required by the City Engineer.

11. A minimum Class III bike route shall be provided along the east side of Washington Street in accordance with the Bikeway Master Plan to the satisfaction of the City Engineer.
12. A fire hydrant shall be installed on Golden Avenue at the driveway entrance to the satisfaction of the Fire Department. Submit plans showing the size, type, and location of the required fire hydrant, minimum water supply pipe size, minimum turn radii and road width and all other requirements of the Fire Department. A note shall be placed on the construction plans stating that the hydrant shall be installed and in service prior to construction with combustible materials. A final inspection by the Fire Department shall be required to confirm compliance with this requirement.
13. The applicant shall submit sewer lateral plans with the improvement plans. These sewer lateral plans shall be submitted in digital format and as paper copies to the satisfaction of the City Engineer.
14. Sewer and water lines shall not be laid in the same trench in any part of this subdivision.
15. A private Sewer Maintenance agreement shall be executed for the future repair and rehabilitation of the proposed private sewers. The City will provide the template for the agreement.
16. A letter of permission to grade will be required from the owner of the adjacent property owner within which storm drain work is proposed. The letter must acknowledge the work to be done, the date of the plan of work for which the letter is intended to cover, and be signed with notary attached.
17. An agreement not-to-oppose the formation of a future utility undergrounding district will be required to be submitted and recorded.
18. The subdivider shall provide proof satisfactory to the director of public health that there exists an adequate potable water supply available to each lot or parcel, and that the subdivider install or agree to install water supply pipes of a minimum six inches in diameter, provided that the City Engineer may require such other diameter of water supply pipe as may be recommended by Helix Water District.
19. All new utility distribution facilities, including cable television lines, within the boundaries of any new subdivision or within any half street abutting a new subdivision shall be placed underground. The subdivider shall coordinate with the necessary cable television operators for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessarily appurtenant to such underground utilities and street lighting systems may be placed above ground unless directed otherwise by the City Engineer. All proposed structures on the subject property shall connect to the utility systems via underground systems.

20. The subdivider shall construct or shall cause to be constructed, at his/her cost, a street lighting system conforming to City standards.
21. Sight distance requirements at all intersections shall conform to the intersectional sight distance criteria as provided to the American Association of State Highway Officials in the publication "Geometric Design for Local Roads and Streets 1971" or as revised.
22. All public streets curb return radii shall be a minimum radius acceptable to the City of Lemon Grove Fire Chief and City Engineer.
23. The improvement plans shall include a detail of the curb outlet to the satisfaction of the City Engineer.
24. The subdivider shall provide the City Engineer with letters from the serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels created.
25. Obtain sewer permits and pay capacity fees for 22 units.
26. The subdivider shall prepare construction plans and construct drainage facilities in accordance with the Drainage and Hydrology Study prepared for the project and to the satisfaction of the City Engineer. On-site drainage shall be in compliance with the National Pollutant Discharge Elimination System (NPDES) permit.
27. Building permits shall be submitted with the grading plans for retaining walls where required.
28. Submit a truck routing plan for grading activities concurrent with the submittal of the grading plan and grading permit application if required by the City Engineer.
29. The developer/owner shall submit an erosion control plan and irrigation plan with a sediment control plan to the satisfaction of the City Engineer.
30. A deposit for the initial operation costs expended by the Lighting District for the subject property shall be submitted until the condominium lots are placed on the Tax Assessor's yearly statement.
31. As-built drawings shall be submitted to SDG&E to energize all of the required street lights.
32. A formal written request to add street lights to the Lemon Grove Lighting District shall be submitted to the City of Lemon Grove Lighting District prior to permanent energizing.

C. DURING GRADING ACTIVITIES AND PRIOR TO FINAL GRADING PERMIT APPROVAL:

1. All property corners of the parcel of the lot shall be monumented with three-fourths (.75) inch [interior diameter] iron pipe with lead plug and copper identification disks at least 18 inches long and to the satisfaction of the Development Services Director. Alternatively, applicant may enter into a secured agreement to install monumentation prior to final map recordation or occupancy.
2. The bioretention areas, underground storage pipes, and outlet structures identified in the Storm Water Management Plan (SWMP) and Hydro Modification Plan (HMP) shall be installed. Any modifications to the bioretention areas shall require modifications to the SWMP and HMP and review and approval by the City Engineer.
3. A final soils engineering report shall be submitted for the Engineering Department's review. In addition to verifying the preliminary soils report, the final soils report shall

address the adequacy of the building pads, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways.

4. The structural pavement section for the private driveways located on the subject property shall be based on the soils report prepared by a Geotechnical Engineer to the satisfaction of the City Engineer.
5. The development and preparation of the site shall conform to the soils and geotechnical reports submitted to the City.
6. Grade streets to grades and widths required by the City standards.
7. The installation of gas, electric, sewer, and water lines and any other below surface utilities is required to take place before the installation of any concrete curbs, gutters, sidewalks, and surfacing of the streets (including repair or replacement).
8. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
9. The developer/owner shall be required to repair and/or replace any damaged public improvements fronting the project.
10. Provide the City with a final drainage/hydrology report/letter indicating that the site design is in accordance with the report and the National Pollutant Discharge Elimination System (NPDES) permit.
11. The contractor/permittee conducting any earth moving operation shall be responsible for controlling dust created by its grading operation or activities at all times.
12. A pad certification and compaction report shall be submitted to the City for review and approval prior to applicant request for final inspection on the grading permit. Provide the City with, upon completion of the grading, a compaction report from the geotechnical firm and a letter from a licensed civil engineer that the grading and elevations of the pad were done in accordance with the approved grading plans and prior to the issuance of building plans.
13. A full-time paleontologist shall monitor grading and excavation activities, including utility trenching, etc., at all times when the Mission Valley formation potentially may be disturbed. The mitigation program shall be consistent with the provisions of the California Environmental Quality Act (CEQA), regulations currently implemented by the City of Lemon Grove, and proposed guidelines of the Society of Vertebrate Paleontology as follows:
 - a. A qualified paleontologist or other professional with cultural resource knowledge shall be present at the pre-grading meeting to consult with the grading and excavation contractors. A qualified paleontologist is defined as an individual with a Bachelor's or higher degree in paleontology or geology experienced in pale ontological techniques and procedures. Evidence that the professional has been contracted for this work shall be submitted to the City prior to issuance of a grading permit.
 - b. A qualified paleontologist or other professional with cultural resource knowledge shall be present at all times during the original cutting of previously undisturbed sediments of the Mission Valley Formation. These monitors shall inspect any excavation which exposes sediments of the Mission Valley Formation. Said monitors shall salvage remains as they are uncovered.

- c. The paleontologist or other professional with cultural resource knowledge shall be allowed to temporarily direct, divert or halt grading to allow recovery of fossil and artifact remains.
 - d. The paleontologist or other professional with cultural resource knowledge shall document the stratigraphic and geologic context of salvaged fossil and artifact remains.
 - e. The paleontologist or other professional with cultural resource knowledge shall clean, repair, and sort salvaged fossils and artifacts for eventual donation.
 - f. Prior to final inspection a report shall be prepared summarizing the results of the mitigation program and submitted to the Development Services Director. This report will include a discussion of methods employed, fossils and artifacts recovered, geologic context of fossil and artifact remains and the significance of the mitigation program.
 - g. All curated fossil and artifact specimens shall be donated to an institution with a proven history of professional, long term care and storage of paleontologic and archaeological collections, such as the San Diego Natural History Museum.
- D. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT MODIFICATION PDP06-013M:
- 1. All physical elements of the proposed project shown on the approved plans dated August 11, 2014 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes
 - 2. The CC&Rs shall be recorded.
 - 3. Each dwelling unit of the proposed subdivision shall be designed to be connected to a sewer of the Lemon Grove Sanitation District.
 - 4. Backflow prevention devices for private building sewers shall be required pursuant to Section 710.0 of the CBC (2000 UPC).
 - 5. Certification that the as-built grading is consistent with Municipal Code Section 18.08.380 shall be submitted.
 - 6. The project shall comply with all applicable provisions of the California Fire Code and the California Building Code.
- E. PRIOR TO FINAL APPROVAL OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT MODIFICATION PDP06-013M:
- 1. All physical elements of the proposed project shown on the approved plans dated August 11, 2014 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes
 - 2. Construct the public improvements along Golden Avenue and Washington Street as proposed in the Improvement and Landscape Plans to the satisfaction of the City Engineer.
 - 3. Provide the City with, upon completion of the paving, a letter from the geotechnical firm or a licensed civil engineer that the structural pavement section was constructed in accordance with the geotechnical report prior to the issuance of final occupancy.
 - 4. All fire access gates shall be provided with approved key operating switches and traffic control strobe activating sensors.

Attachment B


5. Install the proposed street lights to the satisfaction of the City Engineer. Contact SDG&E for installation and billing requirements.
 6. Install and maintain underground storage pipes and outlet structures proposed in the Hydro Modification Plan (HMP) dated June 9, 2014.
- F. UPON ESTABLISHMENT OF USE IN RELIANCE WITH TENTATIVE MAP REVISION:
1. Comply with all of the Conditions of this resolution and the requirements of PDP06-013M.
 2. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements and stamped and stained concrete sidewalks installed within the public right-of-way (along both Golden Avenue and Washington Street). Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall remove and relocate all irrigation or concrete items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
 3. The proposed onsite sewer shall be privately owned and maintained.
 4. Proper drainage shall be maintained throughout this subdivision as to prevent ponding and/or storage of surface water and shall be in compliance with the National Pollutant Discharge Elimination System (NPDES) permit to the satisfaction of the City Engineer.
 5. The City approved CC&Rs shall be abided by at all times.
- G. This approval of this tentative map will expire two years from the date of approval or such longer period as may be extended by State Law. The final map or maps conforming to this conditionally approved tentative map shall be filed with the City Council in time so that said Council may approve the map before this approval expires; unless prior to that date, the Planning Commission or City Council subsequently grants a one-year time extension for obtaining such approval of said final map or maps as provided by the City Subdivision Ordinance.
- H. The terms and conditions of the Tentative Map shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Tentative Map and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.

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PASSED AND ADOPTED: On September 16, 2014, the City Council of the City of Lemon Grove, California adopted resolution No. 2014-3282 by the following vote:

COUNCILMEMBERS

	AYES	NOES	ABSTAIN	ABSENT
Mary Teresa Sessom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Howard Cook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Gastil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Racquel Vasquez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


MARY TERESA SESSOM, Mayor

Attest:


SUSAN GARCIA, City Clerk